

OGC Has Reviewed

Management Officer

30 November 1949

Legal Staff

Redrafting of Administrative Instruction No. [REDACTED]

25X

1. Your memorandum of 18 November 1949 requested an opinion on two questions which will be answered in order. The answers are based on current practices of the State Department.

(a) From what date are foreign allowances payable?

Temporary lodging allowances are payable from the time of arrival on station. (It should be noted that temporary lodging allowance and per diem are not payable at the same time.) Transfer allowance is payable upon arrival at the post; quarters allowance is payable when permanent quarters are obtained; and post allowance is payable from the time of arrival on the post.

(b) What date is considered the date from which service abroad is computed for purposes of home leave?

This is the date of arrival abroad on post.

2. No specific question was raised in regard to the point, but we think it may be well to mention medical services. The Foreign Service authorizes payment for medical services for any disability incurred outside the United States which is sufficiently serious to require hospitalization. There is no clear line defining what is "outside the United States", and recognition of the claim depends upon the facts. However, State recently accepted a claim when the disability in question was apendicitis and the attack occurred on a plane which was docking in the United States from an overseas flight. There is little doubt that they would recognize a claim for any disability occurring on a carrier after it was in motion en route to a foreign country. Borderline cases would most probably be those where the ship had not yet sailed and the plane had not yet taken off.

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STATINTL

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cc: Subject
Chrono

Legal decisions